

3

Attorney's Docket No. 050931-0254750

PATENT

Client Reference: MK-9807(A)/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KIMIHIKO NISHIOKA,
KOJI ISHIZAKI, MASAHIRO KABURAKI

Confirmation No.: 6330

Application No.: 09/092,652

Group No.: 2871

Filed: 06/09/1998

Examiner:

For: OPTICAL ELEMENTS (SUCH AS VARI-FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS

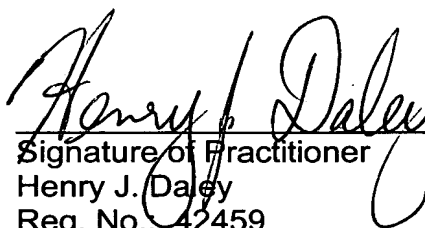
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS INQUIRY

1. More than six months have passed since the payment of the Issue Fee, which was paid on February 24, 2004. Private PAIR indicates that the Issue Fee payment has not been matched with the file in the Office of Publications as of August 24, 2004. A copy of the Issue Fee transmittal and date-stamped receipt are attached.
2. Kindly advise the undersigned of the present status of this application, by checking the appropriate box on the next page.

Date: August 24, 2004

PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
Customer No.: 00909



Signature of Practitioner
Henry J. Daley
Reg. No.: 42459
Tel. No.: (202) 775-9832

STATUS INQUIRY REPLY

APPLICATION NO. 09/092,652 IS CURRENTLY

☐ ASSIGNED TO OFFICE OF PATENT PUBLICATIONS AND AWAITS ISSUE
NOTIFICATION; APPROXIMATE DATE OF ISSUANCE _____

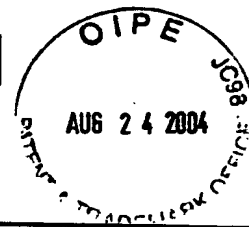
☐ ISSUE NOTIFICATION HAS BEEN MAILED.

☐ OTHER: _____

PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102

RECEIPT FROM PTO FOR INDICATED ITEMS

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Use 2 postcards for all New Applications (including cont/Div/CIP)
Use this sheet when filing CPA or RCE



Appln. No: 09/092,652	Atty: Henry J. Daley/joyce hill
First Inventor: KIMIHIKO NISHIOKA	Date: 02/24/04
Title: OPTICAL ELEMENTS(SUCH AS VARI-FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS	Attorney Docket No: 050931-0254750

ENCLOSED:

☒ Supplemental Declaration 1 of pages

☒ Issue Fee Transmittal Form
PTOL-85(b)

\$1,339.00

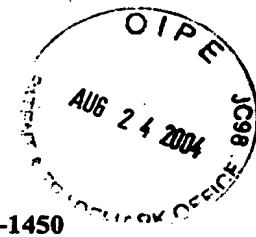
Total Fee Charged to Deposit
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OTHER: **ORDER THREE SOFT COPIES**

CURRENT DUE DATE: **March 15, 2004**



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail****Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**or **Fax** (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

909 7590 12/15/2003

**PILLSBURY WINTHROP, LLP
P.O. BOX 10500
MCLEAN, VA 22102**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/092,652	06/09/1998	KIMIHIKO NISHIOKA	PM254750	6330

TITLE OF INVENTION: OPTICAL ELEMENTS (SUCH AS VARI FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	03/15/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
TON, MINH TOAN T	2871	359-056000

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Pillsbury Winthrop LLP

2 _____

3 _____

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Olympus Optical Co., Ltd.Tokyo, JAPANPlease check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee☐ A check in the amount of the fee(s) is enclosed.☐ Publication Fee☐ Payment by credit card. Form PTO-2038 is attached.☒ Advance Order - # of Copies 3

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number 3-3975 (enclose an extra copy of this form).

The Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

Authorized Signature _____ (Date)

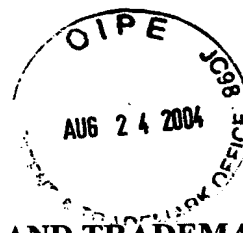
Henry J. Daley, Reg. No. 42459 February 24, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This section of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. END TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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Practitioner's Docket No.: 050931-0254750
Client Reference No.: MK09807(A)/A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Allowed: December 15, 2003

NISHIOKA et al.

Confirmation No: 6330

Application No.: 09/092,652

Group No.: 2871

Filed: June 9, 1998

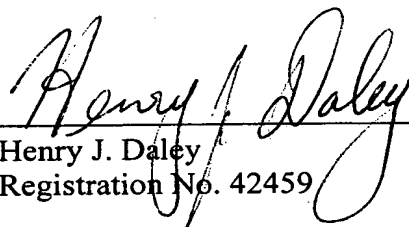
Examiner: MINH TOAN TON

For: OPTICAL ELEMENTS (SUCH AS VARI FOCAL LENS COMPONENT,
VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE
DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING
OPTICAL ELEMENTS

Commissioner for Patents
Mail Stop: Issue Fee
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF SUPPLEMENTAL DECLARATION

Attached please find the Supplemental Declaration for the above-identified application.


Henry J. Daley
Registration No. 42459

Date: February 24, 2004

PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500
Customer Number: 00909

**FOR UTILITY
DECLARATION**

AUG 24 2004

**SUPPLEMENTAL DECLARATION
UNDER RULE 67 (37 C.F.R. 1.67)**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED OPTICAL ELEMENTS(SUCH AS VARI-FOCAL LENS COMPONENT, VARI-FOCAL DIFFRACTIVE OPTICAL ELEMENT AND VARIABLE DECLINATION PRISM) AND ELECTRONIC IMAGE PICKUP UNIT USING OPTICAL ELEMENTS**, the specification of which was filed on June 9, 1998 as U.S. Application No. 09/092,652.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as allowed on December 15, 2003. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)					
Number	Country	Filed	Date first Laid-open or Published	Date Patented or Granted	Priority Claimed
77042/98	JAPAN	March 25, 1998			Yes
151881/97	JAPAN	June 10, 1997			Yes
53029/98	JAPAN	March 5, 1998			Yes

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)			
Application Number	Filed	Status	Priority Claimed

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR'S SIGNATURE: Kimihiko Nishioka Date: Jan. 28, 2004

Name	KIMIHIKO	NISHIOKA
First	Middle Initial	Family Name
Residence	Hachioji-shi	JAPAN
City	State/Foreign Country	Country of Citizenship
Mailing Address	c/o Olympus Optical Co., Ltd., 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, JAPAN	
(include Zip Code)		

INVENTOR'S SIGNATURE: Koji Ishizaki Date: Jan. 28, 2004

Name	KOJI	ISHIZAKI
First	Middle Initial	Family Name
Residence	Hachioji-shi	JAPAN
City	State/Foreign Country	Country of Citizenship
Mailing Address	c/o Olympus Optical Co., Ltd., 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, JAPAN	
(include Zip Code)		

INVENTOR'S SIGNATURE: Masahiro Kaburaki Date: Jan. 29, 2004

Name	MASAHIRO	KABURAKI
First	Middle Initial	Family Name
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City	State/Foreign Country	Country of Citizenship
Mailing Address	c/o Olympus Optical Co., Ltd., 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	
(include Zip Code)		